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MARSHALL GERSTEIN & BORUN LLP  
233 SOUTH WACKER DRIVE  
6300 SEARS TOWER  
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**JUL 29 2009**

**OFFICE OF PETITIONS**

In re Application of Mourou, et al.  
Application No. 09/775,069  
Filed: February 1, 2001  
Attorney Docket No. 30275/939B

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: DECISION ON PETITION  
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This is in response to the petition under 37 CFR 1.47, filed June 29, 2009.

The petition under 37 CFR 1.47 is **DISMISSED** as inappropriate.

A petition under 37 CFR 1.47 is only appropriate when an inventor has refused to sign or cannot be located to sign the original 37 CFR 1.63 oath or declaration. Here, the declaration was filed on June 7, 2001.

In a situation where an inventor is refusing to sign or cannot be located to sign a supplemental reissue declaration, applicant should filed a **petition under 37 CFR 1.183** to suspend the requirement under 37 CFR 1.175 that all of the inventors sign the supplemental reissue declaration.<sup>1</sup>

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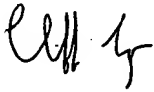
<sup>1</sup> "If a joint inventor refuses or cannot be found or reached to sign a supplemental oath/declaration, a supplemental oath/declaration listing all the inventors, and signed by all the available inventors may be filed provided it is accompanied by a petition under 37 CFR 1.183 along with the petition fee, requesting waiver of the signature requirement of the nonsigning inventor." MPEP 1414.01(III).

Further correspondence with respect to this matter should be addressed as follows:

By mail:           Mail Stop Petitions  
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By FAX:           (571)273-8300  
                  Attn: Office of Petitions

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read 'Cliff Congo', is positioned above the typed name.

Cliff Congo  
Petitions Attorney  
Office of Petitions